

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
25-00006-01-CR-W-BP

RAFAEL L. JOHNSON,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGE: Felon in Possession of a Firearm and Ammunition
in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Jessica Jennings

Case Agent: Rachel D. Alonzo, ATF

Defense: Robert Kuchar and investigator Mark Wolpin

OUTSTANDING MOTIONS:

Doc. 41-NOTICE of filing *Government's Notice of Intent to Offer Evidence Pursuant to Rule 404(b)* by USA as to Rafael L. Johnson

Doc. 42- NOTICE of filing *Government's Notice of Expert Witness* by USA as to Rafael L. Johnson

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 3 with stipulations; 4 without stipulations

Defense: 2 witnesses, including Defendant who ☐ will
☒ may
☐ will not testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: No additional exhibits

DEFENSES:

☒ defense of general denial

☐ defenses of general denial and _____

POSSIBLE DISPOSITION:

- (x) Definitely for trial () Possibly for trial
() Motion to continue to be filed () Likely a plea will be worked out

TRIAL TIME: 2 - 2.5 days

Government's case including jury selection: 2 days

Defense case: .5 day at most

STIPULATIONS:

- (x) in discussions, but stipulations unlikely at this time as to:

- (x) chain of custody
() chemist's reports
(x) prior felony conviction
(x) interstate nexus of firearm
() other: _____

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: April 14, 2025

Defense: April 14, 2025

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: April 14, 2025

Jury instructions must comply with Local Rule 51.1

Motions in Limine: April 14, 2025

TRIAL SETTING: Criminal jury trial docket commencing 4/28/2025

Please note: Both the Government and Defendant request that the case be set during the first week of the trial docket. The Government’s case agent—who also serves as its expert on the nexus of the firearm—is unavailable beginning late on May 2 through May 8, 2025. Additionally, Defendant’s investigator is unavailable during the second week of the trial docket.

OTHER:

- () A _____-speaking interpreter is required.

- () Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge